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## FORMALITIES LETTER



\*OC00000005301587\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/578,827         | 05/24/2000          | Philip N. Benfey      | 5914-078-999           |

20583

PENNIE AND EDMONDS  
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NEW YORK, NY 100362711

Date Mailed: 08/07/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$864.
  - \$162 for 9 total claims over 20.
  - \$702 for 9 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1684.**

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*A copy of this notice MUST be returned with the reply.*

*ADM*

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Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 1 - ATTORNEY/APPLICANT COPY

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| 02 FC:201 | 355.00 CH |
| 03 FC:205 | 65.00 CH  |
| 04 FC:203 | 81.00 CH  |
| 05 FC:202 | 360.00 CH |

Sector #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Philip N. BENFEY

Serial No.: 09/578,827  
Filed: May 24, 2000  
For: SHORT-ROOT GENE, PROMOTER, AND USES THEREOF

Art Unit: 1632

Examiner: Unassigned

Attorney Docket No.: 5914-078-999

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application, mailed August 7, 2000, a copy of which is attached, Applicants herewith submit the filing fee, believed to be \$345.00; the additional claims fees of \$864.00; along with the executed forms by Applicants. Also submitted for recordation on even date herewith are the Assignment documents for the above-identified application to **New York University**, executed by the inventors **Philip N. Benfey, Yrjo Helariutta and Hidehiro and Kieji Nakajima**, and the Oath or Declaration surcharge of \$65.00, for a total of \$1,274.00. Applicants qualify as a small entity. A *Verified Statement Claiming Small Entity Status* is being concurrently submitted.

Please charge the required fees, believed to total \$1,274.00 to Pennie and Edmonds LLP's Deposit Account no. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Date December 15, 2000

  
Serge Sira 39,445  
(Reg. No.)  
**PENNIE & EDMONDS LLP**  
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